



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

NOTICE OF DECISION

Case No: PB#165

Address: 70 Pacific Street

Zoning: Special District 8

Owners/Applicants: Massachusetts Institute of Technology, 77
Massachusetts Avenue, Cambridge, Mass. 02139

Application Date: August 1, 2000

Public Hearing: August 22, 2000

Planning Board Decision: September 5, 2000

Date of Filing Decision: September 28, 2000

Application: Planning Overlay Special Permit (Section 11.500) and
Transfer of Development Rights and Additional Height Special Permit
(Section 17.85) for 346,000 square feet of gross floor area for a Dormitory
and accessory facilities.

Decision: GRANTED with conditions

Appeals, if any, shall be made pursuant to Section 17 of Massachusetts
General Laws, Chapter 40A, and shall be filed within twenty (20) days
after the filing of the above referenced decision with the City Clerk.

Copies of the complete decision and final plans, if applicable, are on file
with the Office of the Community Development Department and the City
Clerk.

Authorized Representative to the Planning Board:

For further information concerning this decision, please call Liza Paden
at 349-4647, TTY: 349-4621, email lpaden@ci.cambridge.ma.us.

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Documents Submitted

Special Permit Application submitted August 1, 2000, certified complete on August 2, 2000, containing the project description, supporting statement, dimensional form, supporting statement IPOP special permit, certification of traffic study by the Traffic, Parking and Transportation Department, site photos.

Transportation Impact Study entitled "MIT Dormitory-Pacific Street" prepared by Vanesse Hangen Brustlin/VHB, Inc., dated May 2000, certified complete on August 1, 2000

Architectural Plans (24" x 36"), entitled "Massachusetts Institute of Technology Graduate Dormitory", including Context Plan, Certified Plot Plan, Existing Land Use Plan, Site Plan, Parking Level Plan, 1st Floor Plan, 2nd Floor Plan, 3rd and 5th Floor Plan, 4th and 6th Floor Plan, 7th and 9th Floor Plan, 8th Floor Plan, Elevation (2 sheets), and Section, submitted by the Massachusetts Institute of Technology and prepared by Steffian Bradley & Associates and dated July 26, 2000 (the "Architectural Plans").

Document entitled "Massachusetts Institute of Technology Graduate Dormitory IPOP Handout", including the following drawings: perspective renderings (2 sheets), Site Plan, Parking Level Plan, 1st Floor Plan, 2nd Floor Plan, 3rd and 5th Floor Plan, 4th and 6th Floor Plan, 7th & 9th Floor Plan, 8th Floor Plan, elevations, sections, context photographs (3 sheets), Zoning Map, Sun Exposure and Shadow Lines (3 sheets), Major

Vehicular Access, Public Transit Access, Pedestrian Access and Public Open Space, Land Use Views to and from the site, Sidney Street Cross Section, and Pacific Street Cross Section (2 sheets).

Other Documents Submitted

Supplemental parking information in a memo from VHB to S. Clippinger, dated 7/26/00.

Revised IPOP residential street impact,

Memo to the Planning Board from S. Clippinger dated 9/5/00.

Letter dated August 30, 2000 from Michael Owu, Senior Real Estate Officer, Massachusetts Institute of Technology, with supplemental materials, including a Parking and Traffic Summary Table, Proposed Basement Floor Plan, Proposed Ground Floor Plan, Proposed 1st Floor Plan, Proposed 2nd Floor Plan, Proposed 3rd Floor Plan, Proposed 4th Floor Plan, Proposed 5th Floor Plan, Proposed 6th Floor Plan, Proposed 7th Floor Plan, Proposed 8th Floor Plan, Proposed 9th Floor Pan, Proposed Sidney Street and Pacific Street Elevations, Conceptual Site Plan, Computer Perspective Renderings from Pacific Street, 82 Pacific Street Park, the corner of Sidney and Tudor Streets, Context Photographs taken from the Project site toward adjacent parcels and from adjacent parcels toward the site, a Land Use Map showing abutting parcels, and a hand rendered perspective from Sidney Street.

Letter from the Honorable Anthony Gallucio, Mayor of the City of Cambridge, dated September 5, 2000.

Land Use diagram for MIT Graduate Student Dormitory.

Letter from Steven Kaiser, dated August 18, 2000.

Concept Design Site Analysis, updated 8/23/00.

E-mail from James Williamson dated August 24, 2000.

Copy of presentation made at the public hearing at 8/22/00.

Findings

After review of the application documents and other documents submitted to the Board, testimony taken at the public hearing, review and consideration of the Planning Overlay Special Permit and the general special permit criteria, the Board makes the following findings:

1. The dormitory use is a highly desirable one and an important contribution to expansion of housing options for university affiliates and city residents in Cambridge.

2. While located several blocks from the start of the Cambridgeport residential neighborhood, the site does serve as a bridge from that neighborhood to the core university campus at Vassar Street and beyond. Therefore the quality of the design is particularly important. While necessarily bulky because of the accumulation of Gross Floor Area as a result of the transfer of development potential from the adjacent Pacific Street Park site, the Board finds that refinements to the design should be made that would ameliorate the institutional image of the design as revised and lend a more residential character. Further exploration of more residentially scaled building details and massing, site access, and parking layout are encouraged by the Board.

3. The character of the building and its site configuration have been influenced by the attempt to accommodate a large number of parking spaces on the site to serve not only the needs of this location, but also potential parking demand related to future dormitory development in the vicinity. Recognizing the delicate balance between parking supply necessary to avoid negative impact on the residential neighborhood and the desire to minimize the impact of parking on the site, the Board encourages any effort by the permittee to reassess the appropriateness of accommodating all of the parking shown on the permit plans and to reduce the quantity provided where that may be feasible.

4. Conformance to the requirements of the Planning Overlay Special Permit, Section 11.500 of the Zoning Ordinance.

a. Submittal of required documents

All requirements of Section 11.511 have been met with the submittal of a complete application, including a certified traffic study.

b. Finding of no substantial adverse impact on city traffic

The Planning Board identified five criteria that would assist in determining whether a project should be found to cause substantial adverse traffic impact: (1) project vehicle trip generation, (2) traffic generated on residential streets, (3) effect on level of service at identified intersections, (4) length of traffic queues at identified intersections, and (5) nearby locations with a high incidence of accidents.

With respect to criteria (1) through (4), which are indications of potentially adverse impacts related directly to the Project, the Project falls well below the thresholds as established by the Board.

With respect to criterion (5), which is an indicator of existing conditions unrelated to the Project, two out of the six study area intersections have unfavorable accident histories. With the implementation of improvements along Massachusetts Avenue as planned by the City, with the cooperation of the permittee, these identified failures will be satisfactorily addressed.

The Board concludes that the Project will have no substantial adverse impact on city traffic with the implementation of mitigation measures imposed by the Board as conditions of this Decision and with the redevelopment of the project site as indicated on the approved plans.

c. Conformance with Enumerated Growth Policies

The Planning Board finds that the project is consistent with the growth policies enumerated in Section 11.500.

(1) Policy 13: Pace of development, maintenance of the tax base, adjustment to changing conditions, consistent with urban design plans, disruption of neighborhoods, not overburden infrastructure.

The Board finds that the project is consistent with the urban design and other goals of the city as set forth in the Growth Policy document. The large institutions in particular are encouraged in a number of institutional policies set out in ***Toward a Sustainable Future: Cambridge Growth Policy Document*** to concentrate future development within existing core campus areas, to reduce the impact of new institutional

development on the city's tax levy by utilizing already tax exempt properties more efficiently, and to provide housing for students, faculty and staff on campus. This proposal meets all those objectives. No further property will be taken off the tax rolls, and students now forced to seek housing in the private market will be able to live on campus.

Special District 8, which regulates development at this site, was adopted by the City as part of a larger rezoning of the lower Cambridgeport Industrial District previously designated Industry B. This new district encourages housing and dormitory uses while limiting the scale of development to minimize any adverse visual impact on the residential neighborhood in Cambridgeport. Consistent with this preference, heavy industrial uses were eliminated as permitted uses, while certain retail uses, office and R&D uses were preserved. The total amount of development permitted was reduced by twenty-five percent (from an FAR of 4.0 to 1.75 for dormitories and to 3.0 with the transfer of development rights onto any given site), and the as-of-right height of buildings was reduced to 60 feet (100 feet with the transfer of development rights from a neighboring parcel). Special District 8 also encourages the creation of public open space by allowing the transfer of development rights from one parcel to another: in this case from the Pacific Street park parcel to the Project site.

This dormitory Project is fully consistent with the objectives of the Special District 8 as it was created. The Pacific Street park is a direct public benefit of the Project. In addition, the Project provides significant open and landscaped area for use by residents of the dormitory, both in the center courtyard and in the front yards of the building. By proposing building setbacks that are in many instances greater than that required in Special District 8, furthermore, the applicant has preserved a condition whereby light and air reaches adjacent land uses.

(2) Policy 27: Affordable housing and neighborhood character.

Specialized housing in the form of dormitories will be constructed. While such housing will not be available to the general public, or to low income households in the general

population specifically, it will serve the needs of students and affiliates who would otherwise be forced to compete, often very successfully, with low and moderate income households for accommodations in the private housing market.

The Board notes further that MIT has made substantial contributions to the affordable housing stock in Cambridge, including 86 low- and moderate-income family housing units as part of the University Park development.

Several policies in "Toward a Sustainable Future: Cambridge Growth Policy Document," including specifically Policy #52, encourage the institutions in the city to house their students on campus and encourage that others in the institutional community, including staff and faculty, also be provided with housing. This proposal implements that policy objective.

The Project is well removed from the low-scaled residential neighborhood of Cambridgeport and is similar in scale to several neighboring structures, including those of University Park. After a review of images of the likely visual impact of the Project from a number of vantage points, including views from the public park, the Board finds that the Project will not be unreasonably intrusive visually from points in the Cambridgeport neighborhood. The construction of the dormitory will add further physical definition to Sidney Street, continuing definition brought to the street by the University Park development. The building is consistent with the intent of the Special District 8 and the residential and institutional environment that is expected to develop in the future around it.

(3) Policy 39: minimize impacts on abutting neighborhoods.

Section 11.500 is specifically designed to address the principal impact development usually has on nearby residential neighborhoods: significant adverse traffic impacts that can radiate widely from any given site into nearby neighborhoods and residential streets. This Project will not have significant impact with regard to additional vehicular traffic as it serves a clientele that will have few cars and whose trips at peak traffic periods are focused toward

academic facilities near at hand and reachable by walking or campus shuttle. While perhaps not completely quantifiable, the Project will house persons who would otherwise be widely dispersed in city neighborhoods and therefore more likely to be dependent on automobiles to access campus facilities.

(4) Policy 66: Open space facilities

The site is currently used as a parking lot. Significant landscaping will be provided that will enhance the public edges of the Project. The recreational needs of the occupants of the building will be served in part by the landscaped courtyard within the Project, as well as through use of the public Pacific Street Park. Creation of the public park is specifically contemplated by Section 17.85 of the Zoning Code, and is a central component of the Transfer of Development Rights Special Permit. Through creation of the Pacific Street Park, therefore, the dormitory Project fulfills a primary goal of Section 17.85.

5. Conformance to the general criteria for the issuance of special permits contained in Section 10.40 of the Zoning Ordinance

A special permit will normally be granted where specific provisions of this Ordinance are met, except where the particulars of the location or use, not generally true of the district or of the uses permitted in it, would cause granting such permit to be to the detriment of the public interest because of the following.

a. The requirements of the Ordinance cannot be met.

With the issuance of this special permit the requirements of the Ordinance are met. While a final determination will be made by the Superintendent of Buildings at the time a building permit is sought, the Board finds no indication that the proposal contains any use other than the dormitory use and accessory retail and services permitted in Special District 8.

b. Traffic generated or patterns of access and egress will cause congestion, hazard, or substantial change in established neighborhood character.

Section 11.500 of the Ordinance establishes a higher standard for traffic impact than is required by Section 10.40. As proposed, and subject to further design review by the Planning Board contained in the special permit, no substantial impact on neighborhood character will result, nor will the project cause congestion or hazard.

The applicant demonstrated that the traffic impact of the Project will be minimal. The Board finds that no nuisance or hazard will be created or substantial change in the character of the neighborhood caused by the traffic generated by this Project. The Board further finds that the assumptions used by the petitioner in generating the analysis of traffic to be caused by this Project were reasonable.

c. The continued operation of or development of adjacent uses as permitted in the Zoning Ordinance will be adversely affected by the nature of the proposed use.

Special District 8 was specifically intended to prefer dormitory and housing uses such as the dormitory Project. As discussed above, Special District 8 replaced a dense industrial district that allowed a wide range of potentially obnoxious uses, required no yards for any use, and, at the time had no height limit. Thus, Special District 8 uses are intended to have a lesser impact on surrounding uses than the previous zoning district.

The dormitory Project is consistent with the non-industrial uses in Special District 8. In fact, the dormitory Project is designed so as to have lesser impacts than would be permitted under the provisions of Special District 8 for this Project or any other Project in the district: in many instances the building is set back from the property and street lines distances which are greater than the required setback; and the FAR of the dormitory is 2.5, less than the permitted 3.0. While adjacent uses are unavoidably put in shadow, the extent of that shadowing is for limited periods of time and not more than can reasonably be anticipated by any property owner in a district that has the regulatory characteristics of Special District 8. Most importantly, the neighboring park and open space courtyard will only be minimally impacted by shadow cast by the dormitory. The building thereby preserves ample light and air to adjacent properties.

Therefore the Board finds that this project continued operation of adjacent uses or future development will not be negatively impacted.

d. Nuisance or hazard would be created to the detriment of the health, safety and/or welfare of the occupant of the proposed use or the citizens of the City.

No nuisance or hazard will be created.

e. For other reasons, the proposed use would impair the integrity of the district or the adjoining district, or otherwise derogate from the intent and purpose of this Ordinance.

The proposed use is consistent with the uses allowed in the Special District 8, as well as the adjoining residential districts, and Cambridgeport Revitalization Development District.

6. Conformance to the requirements for issuance of the Transfer of Development Rights and Additional Height Special Permit as set forth in Section 17.85.

a. In the first instance the size of the donating lot is approximately 59,000 square feet.

The Pacific Street Park, now leased to the city of Cambridge and used as a public park is at least 59,000 square feet.

b. The FAR on the receiving lot does not exceed 3.0 for dormitory uses.

The FAR of the proposed development is 2.5 and consists of dormitory uses and a small component of retail use.

c. The receiving lot is in Special District 8

The receiving lot is in Special District 8.

d. The structure on the receiving lot does not exceed 60 feet or 90 respectively as set forth in Section 17.85 (4) a and b.

The project's various heights conform to the locational requirements of Section 17.85 as established in the approved plans.

e. In the first instance, the donating lot is located at 82 Pacific Street.

The Pacific Street Park is so located.

f. The created open space facility is in the control of the City of Cambridge for recreational use.

The Pacific Street Park is currently used for recreational purposes and is in the control of the City of Cambridge through a lease. As a condition of this Special Permit the City will acquire full fee ownership of the park.

g. The donating site is suitable for recreational uses.

The site has been certified as appropriate for recreational use and has been so used for a number of years.

h. Remaining development potential on the donating lot.

All development potential on the donating lot are utilized with the approval of the dormitory project that is subject of this special permit.

7. Conformance to the requirements for issuance of the Transfer of Development Rights and Additional Height Special Permit as set forth in Section 17.85.1.

The existing Pacific Street park is consistent with the objectives of Section 17.85 and addresses in part the open space needs of the adjacent Cambridgeport neighborhood; it is greater than one acre in size; and while it is hoped that the park can be expanded in the future, it is useable for its intended purposes in the configuration that now exists.

Decision

Based on a review of the application documents, comments made at the public hearing and other comments received by the Board, and based on the above findings the Planning Board **GRANTS** the requested Planning Overlay Special Permit and Transfer of Development Rights and Additional Height Special Permits subject to the following conditions and limitations:

1. All use, building construction, and site plan development shall be in general conformance with the plans and application documents submitted to the Planning Board as referenced above, as modified by the Conditions of this Decision. Appendix I summarizes the dimensional features of the project as approved.

2. The project shall continue to undergo design review by the Planning Board. The Planning Board shall review and approve the revised architectural and site plans at a regular meeting of the Board. These plans shall be consistent with the basic project as approved by the Board subject to changes suggested in Condition #3 below. The Planning Board shall certify to the Superintendent of Buildings that the final plans for the Project and the final construction documents submitted for a building permit are consistent with all conditions of this Decision before issuance of the first building permit for the Project.

3. In developing revised Architectural Plans, the permittee shall pay particular attention to the following issues and concerns raised by the Board:

(a) Development of a detailed landscaping plan indicating more precisely the intent and character of the landscaping on the site.

(b) Refinement of the design of the parking area so as to maximize the benefit of the open space areas on the Project site to the residents of the dormitory and to the community as a whole; exploration of options for alternate means of access to the site with a specific objective of reducing or eliminating the driveway and service access through the building. The design of the vehicular entrance on Sidney Street and the access and egress to and from the site generally should be reviewed so as to enhance the pedestrian environment along the street, wherever the vehicular entrance it is located.

(c) The design of the Project will ensure good sight lines at the Corner of Sidney Street and Pacific Street.

(d) Exploration of alternate architectural design elements that will give the building a stronger residential, and a less institutional, character and greater coherence. Residential construction of comparable size in the residential neighborhood, rather than the commercial and research character of University Park, should be the reference point for that effort.

(e) Provision of 0.5 bicycle parking spaces per dormitory bed.

While the fundamental elements of the building's design, scale and site layout as set forth in the referenced application documents are acceptable to the Board and approved by this decision, modifications in response to the concerns set forth in this Condition #3 are anticipated by the Board and shall be permitted within the scope of this decision.

4. MIT shall continue to maintain MBTA subsidies of at least 50% or the maximum amount allowed under the Federal Tax Code for fringe benefits, whichever is less.

5. MIT shall report to the city annually on the following: (a) number of on-campus/MIT building residents in Cambridge; (b) number of autos garaged on campus; (c) number of parking spaces; (d) schedule of parking fees; (e) the frequency, routes and ridership of MIT shuttle services; and (f) parking rates for MIT parking facilities. MIT should also provide the PTDM Officer with a copy of the annual rideshare report.

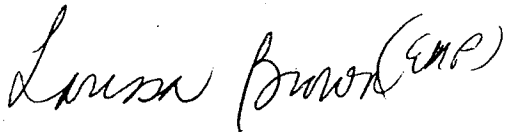
6. To create the best pedestrian environment around the Project, those elements of the revised proposal to: (a) narrow the curb cut; (b) eliminate the driveway medians, and (c) maintain the driveway level with the sidewalk shall be incorporated in the final design, wherever the access to the site is located.

7. Of the currently permitted parking spaces on the site, those parking spaces developed as part of the Project shall be allocated to uses on the Project site, or to other institutional residences off-site. No parking spaces physically located at this site may be used for other affiliate, commuter parking. Any permitted parking spaces that are not redeveloped on site may only be used for affiliate commuter parking only if relocated to another site south of the Grand Junction railroad tracks.

8. MIT should monitor pedestrian patterns between this building and the campus to make sure that the locations where students cross the railroad tracks are safe.

Voting in the affirmative to **GRANT** the Planning Overlay Special Permit were P. Winters, associate member appointed by the Chair to act in the place of an absent member, L. Brown, T. Anninger, F. Darwin, W. Tibbs, and B. Shaw, constituting more than the two thirds of the members of the Board necessary to grant a special permit.

For the Planning Board,



Larissa Brown, Chair

A copy of this decision #165 shall be filed with the Office of the City clerk. Appeals, if any, shall be made pursuant to Section 17, Chapter 40A, Massachusetts General Laws, and shall be filed within twenty (20) days after the date of such filing in the Office of the City Clerk.

ATTEST: A true and correct copy of the above decision filed with the Office of the City Clerk on September 28, 2000, by Elizabeth M. Paden, authorized representative of the Cambridge Planning Board. All plans referred to in the decision have likewise been filed with the City Clerk on such date.

Twenty (20) days have elapsed since the filing of the decision.
No appeal has been filed.

DATE:
City Clerk
City of Cambridge

| | Allowed/Required | Existing | Proposed | Granted |
|---|--|-----------------|--|--|
| FAR | 3.0 | 0 | 2.49 | 2.49 |
| Floor Area | 416,253 | 0 | 346,000 SF | 346,000 SF |
| Max Height | 60-90 feet | 0 | 60 - 90 feet | 60-90 feet |
| Max Angle above cornice line | N/A | N/A | N/A | N/A |
| Min Lot Size | 5,000 SF | 138,751 SF | 138,751 SF | 138,751 SF |
| Min Lot area/du | N/A | N/A | N/A | N/A |
| Max # du | N/A | N/A | N/A | N/A |
| Min Lot Width | 50 feet | 318 feet | 318 feet | 318 feet |
| Min Yard Setbacks | | | | |
| Front | Sidney - 5' Pacific - 5-20' Waverly -20' | N/A | Sidney - 5' Pacific - 5-20' Waverly -20' | Sidney - 5' Pacific - 5-20' Waverly -20' |
| Side Left | None | N/A | 10-20 feet | 10-20 feet |
| Side Right | None | N/A | N/A | N/A |
| Rear | none | N/A | N/A | N/A |
| Ratio Usuable O.S. | none | N/A | 22% | 22% (30,000 SF) |
| Off Street Parking | | | | |
| Min # | 63 | 350 | 300 | 250 |
| Max # | 63 | 350 | 300 | 250 |
| Handicapped | 3 | 0 | 8 | 8 |
| Bicycle spaces | 6 | 0 | 200 +/- | 200 +/- |
| Loading Bays | 4 | 0 | 4 | 4 |